

**Wittels  
McInturff  
Palikovic**

March 26, 2024

**Via ECF**

The Honorable Allyne R. Ross  
United States District Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

**Re: Mirkin, et al. v. XOOM Energy, LLC, et al., No. 18 Civ. 2949 (ARR) (JAM)**

Dear Judge Ross,

We write on behalf of Plaintiff and the Class pursuant to Your Honor's Individual Rule I.E. to request a one-week extension of Plaintiff's deadline to serve Plaintiff's Opposition to Defendants' decertification motion. Defendants do not oppose this request so long as they are given a commensurate one-week extension for Defendants' Reply in support of their decertification motion.

The reason for this request is that due to unanticipated work conflicts and a greater than anticipated amount of time spent preparing for last week's settlement conference with Judge Marutollo, Plaintiff's counsel require additional time to adequately prepare our Opposition. The parties further agreed to a one-week extension for Defendants' Reply to accommodate the revised Opposition date and the defense counsel's work conflicts.

Per Your Honor's Individual Rule I.E., the current and requested new deadlines follow:

<b>Brief</b>	<b>Current Deadline</b>	<b>Requested New Deadline</b>
Plaintiff's Opposition	March 29, 2024	April 5, 2024
Defendants' Reply	April 19, 2024	May 3, 2024

This is Plaintiff's first request to extend these deadlines and Defendants do not oppose the request. No other scheduled dates are affected.

Thank you for the Court's consideration of this request.

Respectfully Submitted

/s/ Ethan D. Roman

Ethan D. Roman

*Class Counsel for Plaintiff and the  
Class*

cc: All Counsel of Record (*via ECF*)